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Pesticide proposal gains ground**An effort to establish a buffer zone around homes gains the ear of several county commissioners****BY SUSAN PALMER***The Register-Guard*Posted to Web: **Wednesday, Jul 22, 2009 12:11AM**Appeared in print: **Wednesday, Jul 22, 2009, page B6**

Organic farmer and pastor Day Owen has been asking state and local government agencies to take his complaints about aerial pesticide spraying seriously for several years, and it appears he might have finally got some traction with the Lane County Board of Commissioners.

At a board meeting Tuesday, Owen asked commissioners to support his effort to establish a pesticide buffer zone around homes and called for an end to conflicts of interest that he says exist on the Oregon Board of Forestry, which regulates state forest practices. He got confirmation from three of the board's five commissioners that they will begin consideration of both issues.

Owen lives with his wife and daughters on 35 acres of land in a notch in the Coast Range on Highway 36, a few miles west of Triangle Lake. A gently sloping spread of orchard, vegetable and herb gardens with goats and dogs and cats, it's the kind of bucolic setting Owens had dreamed of before moving there five years ago from Veneta.

What he didn't expect was the regular application of herbicides by helicopter common on the commercial forest land that surrounds him and his family.

Owen's wife, Neila, and daughter, Alena, both described to commissioners being sickened when pesticides drifted onto their property while a helicopter sprayed clear-cuts not far from their home. They talked about headaches, nausea, joint pain and breathing difficulties.

Oregon has 27.5 million acres of forest lands — about 46 percent of the state's land mass. The federal government owns 57 percent of the forests, but the U.S. Forest Service and Bureau of Land Management don't use herbicides, thanks to old court injunctions that the agencies chose not to fight.

But Oregon state law governs the practices on the 11.8 million acres of private timber land, and state law allows the use of herbicides.

The fast-growing fir trees of the Coast Range become dimensional lumber — the

ubiquitous 2-by-4 and the backbone of conventional construction.

The most economic way to ensure that trees reach their growth potential is spraying with herbicides, usually once before seedlings are planted and then again a couple of years later, said Terry Witt, executive director of Oregonians for Food and Shelter, a pesticide lobbying group.

According to a state Department of Agriculture report, the forest industry's pesticide use represents 4.2 percent of all pesticides applied in Oregon in 2008.

Owen formed the Pitchfork Rebellion with dozens of neighbors who live along Highway 36 who share his concerns.

The group is not calling for an end to pesticide use. Members say they just want commercial forest owners to apply the weed-killing chemicals on the ground and not from helicopters whenever they're within a quarter-mile of someone's home.

The Oregon's Forest Practices Act has such buffers in place for salmon-bearing streams, but not for human dwellings, Owen said.

The group has lobbied the Oregon Board of Forestry, which oversees forest practices on private lands; the state Department of Agriculture, which keeps tabs on pesticide use in the state; the Pesticide Analytical and Response Center, which tracks health and environmental incidents involving pesticides; and even the Lane Regional Air Protection Authority.

He and his group lobbied the Department of Forestry so intently that pesticide use has twice come up as the top issue of concern when the state agency does public surveys about community concerns every two years.

When the meetings and phone calls and letters didn't have the intended effect, the Pitchfork Rebellion this summer began a campaign against the Board of Forestry itself.

Owen said the board includes too many people with a vested interest in the industry it regulates.

He asked commissioners on Tuesday to endorse an investigation into the makeup of the current board, and called for a regulatory change that would require the board to follow the same conflict of interest rules that govern the Oregon Department of Environmental Quality.

The DEQ board excludes from membership those who make more than 10 percent of their living from the industries the agency regulates.

Owen has also filed formal complaints about the current forestry board with Gov. Ted Kulongoski and the state Attorney General's office.

Commissioners Pete Sorenson, Bill Fleenor and Rob Handy expressed interest and sympathy for Owen's efforts.

Handy, a longtime landscaper, said he is so sensitive to pesticides he can hardly step inside a hardware store that sells the products without feeling ill.

Fleenor said Owen's presentation might be the first step down a long road to legislative change in forest regulations.

But Commissioner Bill Dwyer said the federal regulations governing the DEQ, which has oversight of federal clean air and clean water rules, don't necessarily apply to state agencies. And Commissioner Faye Stewart suggested that the Board of Forestry and the state forester also should be invited to speak to commissioners before any decisions are made. Stewart said he finds it hard to believe that the state had no buffer regulations for homes.

In fact, Oregon forestry regulations did once include a 60-foot buffer around inhabited dwellings up until 1996, when the Department of Forestry handed regulatory oversight of pesticides to the Department of Agriculture in a memorandum that apparently did away with the buffer zone.

"Will you vote on this today?" Owen asked commissioners.

"No," Sorenson said. "But we'll keep working on it."

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Forestry board composed of governor appointeesPosted to Web: **Wednesday, Jul 22, 2009 05:00AM**Appeared in print: **Wednesday, Jul 22, 2009, page B2**

The Oregon Board of Forestry is made up of seven members appointed by the governor and approved by the Senate. It's one of more than 200 boards or commissions whose members are selected by the governor.

According to Gov. Ted Kulongoski's Web page, the Board of Forestry sets forest policy for the state and authorizes a forestry program to ensure an adequate future wood supply with favorable effects on society, the economy and the environment.

Two specific rules govern the selection of the board: It must include at least one member from each of the state's three forest regions, and no more than three members may derive any significant portion of their income directly from people or organizations subject to regulations under the Oregon Forest Practices Act.

Board of Forestry positions attract many applicants, said Mike Carrier, Kulongoski's natural resources policy director. In the most recent selection round, the governor had two dozen applicants for two positions, Carrier said.

Kulongoski seeks advice from both conservation and industry groups as well as from the Senate before making his decision, Carrier said.

"The governor is not required by statute to balance this board in any way. It was his goal to provide forest industry and environmental balance on this board and to leave office with some members who have one perspective and some members with another and a chair who can see both perspectives," Carrier said.

— Susan Palmer

BOARD OF FORESTRY**Current members and their work affiliations**

Chairman John Blackwell: Self-employed investor from Portland. Former executive director of World Forestry Center, a nonprofit group that receives significant funding from commercial forestry industry. First terms ends Dec. 31, 2012.

Larry Giustina: Managing general partner of Giustina Land and Timber Co. in Eugene.

Second term ends April 30, 2010.

Peter Hayes: President of Mount Richmond Forest, a family-owned and -managed forest in the North Oregon Coast Range. First term ends Sept. 10, 2011.

William Hutchison: Portland lawyer engaged in forestry and natural resources issues. Second term expires June 30, 2010.

Calvin Mukumoto: Bend forester, currently biomass project manager for Warm Springs Forest Products Industries. First term ends Sept. 30, 2011.

Jennifer Phillippi: Business manager of Rough & Ready Lumber Co. in Cave Junction. Second term expires Jan. 31, 2012.

Steve Wilson: Gladstone resident is secretary-treasurer of Woodworkers District 1 of the International Association of Machinists and Aerospace Workers, representing several thousand workers employed in the wood products industry. First term expires Dec. 31, 2012.

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